

Notice of Allowability	Application No.	Applicant(s)	
	10/749,071	DEAN ET AL.	
	Examiner	Art Unit	
	JEFFREY WOLLSCHLAGER	1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the appeal brief filed December 7, 2009.
2. ☒ The allowed claim(s) is/are 1,4-6,8-11,13-15 and 17-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20100217</u>. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other ____. |
|--|---|

/Jeff Wollschlager/
Primary Examiner, Art Unit 1791

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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Pamela Curbelo on February 17, 2010.

The application has been amended as follows:

Claim 3 has been canceled.

Claim 1 (amended): A method for making a fog resistant thermoplastic article, comprising:

blending an aromatic thermoplastic polymer and an ionic anti-fog additive to form a blend;

molding the blend to form an aromatic thermoplastic polymer article; and

exposing the aromatic thermoplastic polymer article to an aqueous environment sufficient to result in a fog resistant aromatic thermoplastic polymer article,

wherein the exposing comprises exposing to steam, immersing in water, spraying with water, misting with water, or combinations comprising at least one of the foregoing;

wherein, without adding an anti-fog coating to the aromatic thermoplastic polymer article, the fog resistant aromatic thermoplastic polymer article has a greater fog resistance when compared to the aromatic thermoplastic polymer article prior to exposing; and

wherein the exposing is performed for greater than or equal to about 20 minutes.

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Claim 17 (amended): A method for making a fog resistant thermoplastic article, comprising:

blending a thermoplastic polymer and an ionic or a non-ionic anti-fog additive to form a blend;

molding the blend to form [an] a thermoplastic article; and

exposing [a] the thermoplastic article to an aqueous environment sufficient to result in a fog resistant thermoplastic article,

wherein the exposing comprises exposing to steam, immersing in water, spraying with water, misting with water, or combinations comprising at least one of the foregoing; and

wherein, without adding an anti-fog coating to the aromatic thermoplastic article, the fog resistant thermoplastic article has a greater fog resistance when compared to the thermoplastic article prior to exposing;

wherein the non-ionic anti-fog additive is a polysiloxane-polyether copolymer, a poly(propylene glycol)-poly(ethylene glycol)-poly(propylene glycol), or a poly(ethylene glycol)-poly(propylene glycol)-poly(ethylene glycol); and

wherein the thermoplastic polymer comprises polycarbonate, an aromatic polycarbonate, a (co)polyestercarbonate, an aromatic (co)polyestercarbonate, blends thereof, or a combination comprising at least one of the foregoing polymers; and

wherein the exposing is performed for greater than or equal to about 20 minutes.

Claim 21 (amended): A method for making a fog resistant thermoplastic article, comprising:

blending an aromatic thermoplastic polymer and an ionic or non-ionic anti-fog additive to form a blend;

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molding the blend to form an aromatic thermoplastic polymer article; and

exposing the aromatic thermoplastic polymer article to an aqueous environment sufficient to result in a fog resistant aromatic thermoplastic polymer article,

wherein the exposing comprises exposing to steam, immersing in water, spraying with water, misting with water, or combinations comprising at least one of the foregoing; and

wherein, without adding an anti-fog coating to the aromatic thermoplastic polymer article,

the fog resistant aromatic thermoplastic polymer article has a greater fog resistance when compared to the aromatic thermoplastic polymer article prior to exposing;

wherein the non-ionic anti-fog additive is a polysiloxane-polyether copolymer, a poly(propylene glycol)-poly(ethylene glycol)-poly(propylene glycol), or a poly(ethylene glycol)-poly(propylene glycol)-poly(ethylene glycol); and

wherein the aromatic thermoplastic polymer comprises polyphenylene ether, aromatic polyester, polyphenylene ether/styrene blend, aromatic polyamide, polyethylene terephthalate, blends thereof, or a combination comprising at least one of the foregoing polymers; and

wherein the exposing is performed for greater than or equal to about 20 minutes.

Claims 1, 4-6, 8-11, 13-15 and 17-21 are allowed. The following is an examiner's statement of reasons for allowance: the prior art of record does not teach or suggest a method of producing a fog resistant thermoplastic article from a blend comprising the claimed thermoplastic polymers and the claimed anti-fog additives including exposing the article to an aqueous environment, as claimed, for greater than or equal to about 20 minutes wherein, without adding an anti-fog coating, the article has a greater fog resistance after being exposed to the aqueous environment when compared to the article prior to exposing, in combination with the other features instantly claimed.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEFFREY WOLLSCHLAGER whose telephone number is (571)272-8937. The examiner can normally be reached on Monday - Thursday 6:45 - 4:15, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson can be reached on 571-272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jeff Wollschlager/
Primary Examiner
Art Unit 1791

March 2, 2010

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